

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 396 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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M.C.ENTERPRISE

Versus

SHARAD ENTERPRISE A FIRM,  
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Appearance:

MR KB PADIA for Appellants (Absent)  
MR PV NANAVATI for Respondent No. 1 (Absent)  
NOTICE SERVED for Respt No.2,3,4,5  
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CORAM : MR.JUSTICE B.C.PATEL and

MR.JUSTICE C.K.BUCH

Date of decision: 23/12/98

ORAL JUDGEMENT (Per Patel, J. )

On 12.11.1998, we dictated an order dismissing this matter for non-prosecution under the impression that this matter was notified in the Board of 9.11.1998. However, it was brought to our notice that this matter was on the Board of 2.11.1998 and was adjourned to

12.11.1998. In view of this, we directed the office to notify this matter again on Board and accordingly, this matter is again notified on today's Board. Even today, when the matter is called out, learned advocate for the appellant is absent and no arrangement is made to conduct this matter. In this view of the matter, with anguish, we are constrained to dismiss this matter for non prosecution.

csm./ -----